



Town of Boiling Springs

Board of Planning & Adjustment
Agenda
February 18, 2025



Town of Boiling Springs

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Board of Planning & Adjustment

MEETING AGENDA
February 18, 2025

ROUTINE BUSINESS

1. Chairman's Call to Order
2. Election of Chairman
3. Election of Vice Chairman
4. Minutes from the January 21, 2025 Meeting
5. Public Comment

REGULAR BUSINESS

1. Rezoning Petition for Parcel 638
2. Adjournment

**Town of Boiling Springs
Board of Planning & Adjustment Minutes
January 21, 2025**

PRESENT:

Caleb Edwards, Chair

Thomas Bates

Kathryn Hamrick

Karma Edwards

Alan McWhirter

ABSENT:

Fred DeBell

Bill Daves

STAFF:

Town Manager Zachary Parker

Town Clerk Tracy Holland

Mayor Daniel Thomas

Councilmember Tommy Greene

Councilmember Ron Wood

Town Planner Isaac Cook

Councilmember Patrick Litton

Councilmember Bill Ellis

ROUTINE BUSINESS

Chairman's Call to Order:

- Chairman Edwards called the meeting to order at 5:31 p.m. He noted the meeting has a focus on the downtown master plan.

Public Comment: No public comment

REGULAR BUSINESS

Review of Downtown Business Plan

- Town Planner Cook noted the plan had been through the process with previous town managers; he opined staff wanted to see the concept remain the same.
- Town Manager Parker reviewed:
 - o Long-Term Strategies which covered the introduction of a mix of housing types (high density), building to lines (for grid structure) and improving vehicular circulation and block structure. He noted the current plan was four-years old.
 - o Network Recommendations which included items to be completed immediately.
 - Dehart and College Manor
 - Bethel Avenue and Wall Avenue
 - Clinton Street and East College
 - East Branch Extension
 - o NCDOT has expressed interest in supporting the Town's efforts to obtain grants to complete the projects.
- Ms. Edwards pointed out grant funds may be unavailable in a year and applying for grants now would be the best course of action.

- Town Manager Parker opined increasing the traffic flow by the Town Park would benefit the area.
- Discussion ensued on project priorities and how they aligned with the Town's Maser Plan.
- Consensus was reached for the drawing with center landscaping on N. Main Street
- Review of priority projects:
 - o Shared Parking
 - o Linear Retail
 - o Post Office Renovation
 - o Campus/Town Green
 - o Cemetery Edge
 - o YMCA Connector (a lot of opposition to this)
 - A more organic connection through development may be better suited.
- Mrs. Hamrick inquired who owned the woods behind the cemetery. She stated it would be a good location for a walking path.
- Mr. Edwards asked if there had been any feedback from developers who wanted the town to make improvements prior to bringing new homes and businesses to the community.
- Town Manager Parker indicated there had not been any.
- Mayor Thomas noted the priority for grant funding was S. Main Street where grant funding has been allocated.
- The consensus of the Board of Planning and Adjustment Board was the plan still met the needs and was appropriate to the needs of the community.
- Town Manager Parker reported the State had recently removed the authority from any governing boards to rezone property without the property owner's consent. He noted the School of Government (SOG) was unsure how to advise. He stated any changes made by the Board since June 2024, were now invalidated including the MHO, through to the end of March 2025.

ADJOURNMENT

Mr. Bates **MOVED** to adjourn the meeting; the motion was **SECONDED** by Mr. McWhirter. **MOTION PASSED UNANIMOUSLY.** Meeting Adjourned at 7:02 p.m.

Caleb Edwards, Chairman

Tracy Holland, Town Clerk



Rezoning Parcel 638

Requested Action:

To Approve: Motion to approve recommendation of re-zoning parcel 638 with attached consistency statement.

To Deny: Motion to deny recommendation based on attached consistency statement.

To Table: Motion to table this item until [DATE & TIME].

SUMMARY

Staff recommendation: Approval

The property is owned by HULLAND LLC, a holding of Paramount Construction LLC. The property owner is asking for the property to be re-zoned from B-1 to R-10. This brings the property into compliance with the Future Land Use Plan and Map. The parcel is currently vacant.

MATERIALS PROVIDED

- **Zoning Map**
- **Consistency Statement Handout**

Zoning Map Amendment Petition

12/20/2024 10:55 AM (EST)



Item 1.



THE TOWN OF
BOILING SPRINGS
NORTH CAROLINA

Zoning Map Amendment Petition

General Information

This form is used to request a change to the zoning classification of a particular parcel on the Town's official Zoning Map. This process is often referred to as a rezoning. An alternative name of this form is Parcel Map Rezoning Petition. A consultation with planning and zoning staff is recommended prior to submitting this process.

Subject Property

Physical Address 102 Hillcrest St Shelby, NC 28152

Parcel Number* 638

Parcel Number can be found online on here: <https://www.webgis.net/nc/cleveland/>. Enter your address into the search bar to find your parcel number.

Deed Book 1641

Page 1283

Property Owner(s) Hulland LLC

Owner Mailing Address 4932 Ellenboro Rd Mooresboro, NC 28114

Owner Telephone 7044773959

Owner Email jimbeason@piedmontwaste.com

Applicant Name Paramount Construction LLC

Applicant Mailing Address PO Box 855 Boiling Springs, NC 28017

Applicant Telephone 7044739805

Applicant Email adamsmith@paramontllc.com

Applicant Relation to Property Developer

Zoning Map Amendment Requested

Current Zoning Classification B-1

Item 1.

Requested Classification on Zoning Map R-10

Owner/Applicant Signatures

I hereby certify that the information on this application is true and correct. I will adhere to the conditions, comments, and restrictions, provided of this application's review. Petitions not made by or on behalf of the property owner require owner notification in accordance with state law.

Owner Signature



Print Name

James Beason III

Date

12/20/2024

Applicant Signature

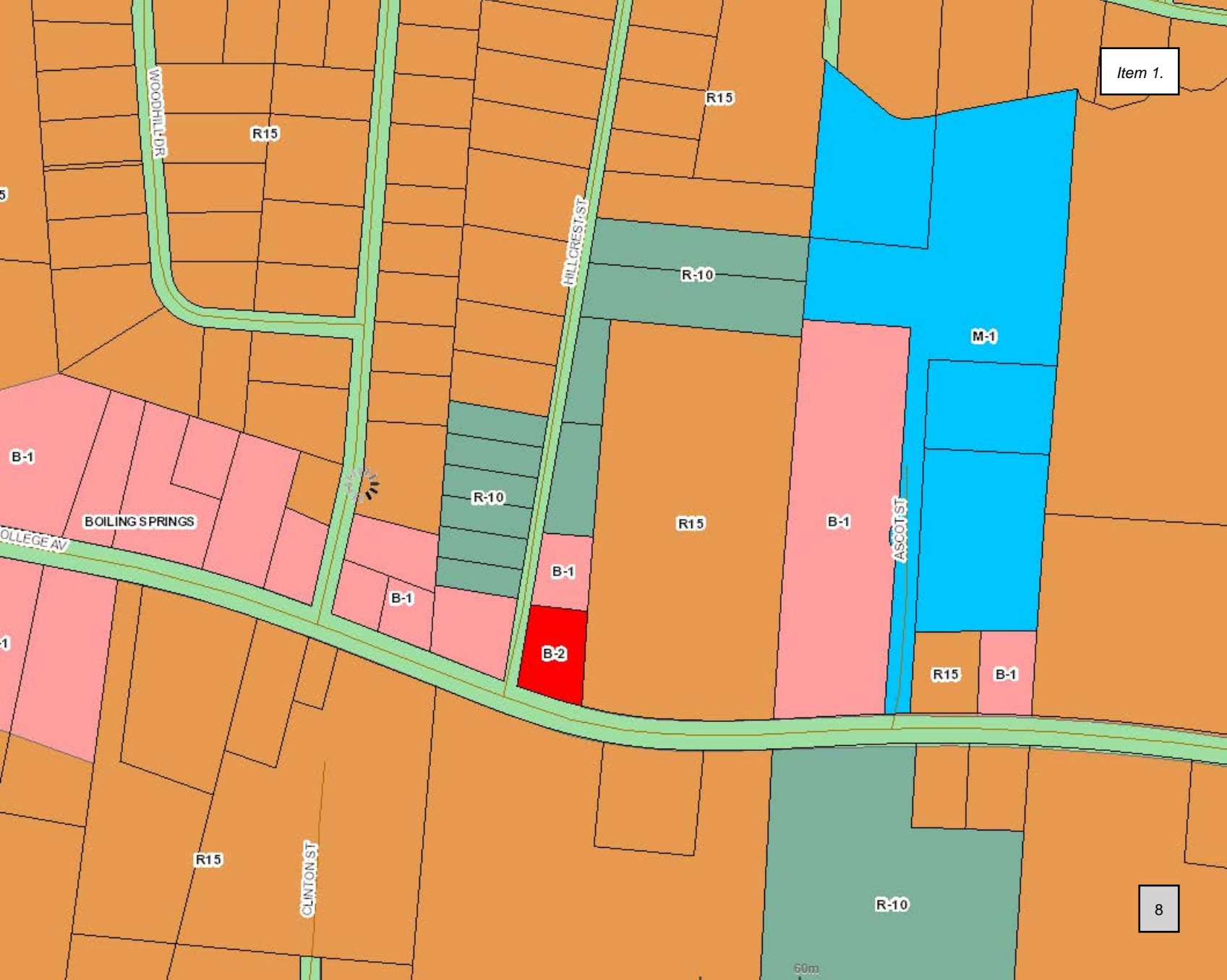


Print Applicant Name

Adam Smith

Date

12/20/2024



§ 160D-605. Governing board statement.

(a) Plan Consistency. – When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive or land-use plan. **If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment has the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment is required.** A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(b) Additional Reasonableness Statement for Rezoning. – When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. **This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.** If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

(c) Single Statement Permissible. – The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-88, s. 1(d).)

§160D-605 Statements:

1. Consistency Statement (NCGS §160D-605(a))

○ **Consistent (copy/paste):**

The proposed amendment is consistent with the comprehensive land-use plan, as outlined in NCGS §160D-605(a).

○ **Inconsistent (copy/paste):**

The proposed amendment is inconsistent with the comprehensive land-use plan, as outlined in NCGS §160D-605(a), and subsequently amends the comprehensive land-use plan to reflect the substance of this Zoning Map Amendment.

2. Reasonableness Statement (NCGS §160D-605(b)) [Protection from “Spot-Zoning” challenge]

○ **Reasonable (copy/paste):**

The Zoning Map Amendment is reasonable due to its [insert from the list below]

○ **(Pick one or more to copy/paste)**

Size, physical conditions, and other attributes of this area

Benefits to the landowners, neighbors, and the surrounding community

Relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment

The clear and convincing public interest (State the “interest”)

Other such issues that “changed conditions warranting the amendment” (You MUST specify a reason)

○ **Unreasonable (copy/paste):**

The Zoning Map Amendment is unreasonable due to its [insert from the list below]

○ **(Pick one or more to copy/paste)**

Size, physical conditions, and other attributes of this area

Detriment to the landowners, neighbors, and the surrounding community

Relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment

The unclear and unconvincing public interest or benefit (State the “interest”)

Other such issues that “changed conditions that do not warrant the amendment” (You MUST specify a reason)

○ **Denial Rationale:**

Must explain why the amendment is being denied, over and above the statements below. Can be one sentence.

Can be Either

Approval of the Amendment

Rejection of the Amendment